

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JUNE 24, 1996  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:07 p.m.

Mayor Golding and Council Member Mathis welcomed and recognized Community Service Award winning students from Rancho Penasquitos along with Bob Wilson, the past President of the Rancho Penasquitos Town Council and Rosa Roy, the Town Council Secretary. Mayor Golding and Council Member Mathis expressed their congratulations to the students and the parents who accompanied them for their outstanding achievements.

Mayor Golding adjourned the meeting at 7:52 p.m. into Closed Session at 9:00 a.m. on Tuesday, June 25, 1996, in the twelfth floor conference room to discuss existing and anticipated litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

Clerk-Abdelnour (pr)

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Don Nelson of the Mira Mesa Church of the Nazarene.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding Justice and Drug Trafficking.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A020-044.)

ITEM-PC-2:

Comment by Al Strohlein regarding the Convention Center funding and expenditures.

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, June 24, 1996**

**Page 3**

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A045-053.)

ITEM-PC-3:

Comment by Art Salzberg regarding the public library downtown and volunteering for the police civilian review board.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A056-076.)

PUBLIC COMMENT:

ITEM-PC-4:

Comment by Kathleen McIntosh regarding being the newly elected President of the League of Women Voters and a study by the League called "City Planning and the Office of the City Attorney."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A078-089.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stallings regarding the U.S. Postal office issuing a stamp concerning "Breast Cancer Awareness" and the ceremony for the State of California at the Salk Institute where she was one of the speakers. Council Member Stallings urged everyone to purchase the stamps to help further the research on breast cancer.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A190-201.)

ITEM-CC-2:

Comment by Council Member Warden regarding the Rancho Bernardo Library opening and the work of six years, hundreds of people, and six million dollars. Council Member Warden thanked Mayor Golding for attending and speaking to the group of approximately 1200 people.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A203-214.)

ITEM-CC-3:

Comment by Council Member McCarty regarding the opening of the new swimming pool in Tierrasanta. Council Member McCarty congratulated everyone for raising the money and for the wonderful celebration.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A215-224.)

ITEM-CC-4:

Comment by Mayor Golding regarding the new main library and the community meeting in the Lyceum where approximately five hundred people attended to hear the Architects speak on the design of the new library. Mayor Golding expressed we are lucky to have four world class architectural companies to pick from. Mayor Golding further stated that the branch libraries are telecommunication centers with access to computers, home work centers, and community centers. Mayor Golding also expressed our new library adds a tremendous amount to the quality of life in the community; that libraries are the foundation for democracy; and there are people who would not have access to that kind of information without libraries.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A225-289.)

Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, June 24, 1996

Page 5

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

5/27/96 Adjourned  
5/28/96  
6/3/96  
6/4/96

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A122-123.)

MOTION BY KEHOE TO APPROVE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: Field Family Day.

DEPUTY MAYOR STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1564) ADOPTED AS RESOLUTION R-287507

Thanking and recognizing the family and friends of Mary B. Field for their significant contribution to the Tecolote Nature Center and the City of San Diego;

Proclaiming June 24, 1996 to be "Field Family Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A130-190.)

MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-50:

SUBJECT: Transfer of Bicycle Licensing from the Fire Department  
to Retail Outlets.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
6/3/96. (Council voted 7-0. District 4 and Mayor not  
present):

(O-96-82) ADOPTED AS ORDINANCE O-18314 (New Series)

Amending Chapter III, Article 4, of the San Diego  
Municipal Code by amending Sections 34.02, 34.09,  
34.10, and 34.12 relating to the Transfer of Bicycle  
Licensing from the Fire Department to Bicycle  
Retailers.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND  
ADOPT ORDINANCE. Second by Vargas. Passed by the following  
vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea,  
Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor  
Golding-yea.

\* ITEM-51:

SUBJECT: Proposed Graffiti Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
6/10/96. (Council voted 9-0):

(O-96-166) ADOPTED AS ORDINANCE O-18315 (New Series)

Amending Chapter V, Article 4, Division 4, of the San Diego  
Municipal Code by amending Sections 54.0403, 54.0404, and  
54.0410; and by adding Section 54.0413, all relating to

Graffiti Abatement;

Authorizing reward of up to \$500 from the City for  
information leading to conviction of graffiti vandals;  
Authorizing the City Attorney to recover damages from  
juveniles and parents, including any reward paid.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND  
ADOPT THE ORDINANCE. Second by Vargas. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-52:

SUBJECT: Parking Meter Operations.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
6/10/96. (Council voted 9-0):

(O-96-149) ADOPTED AS ORDINANCE O-18316 (New Series)

Amending Chapter VIII, Article 2 of the San Diego  
Municipal Code by amending Section 82.06, relating to  
Parking Meters, to permit acceptance of multiple  
denominations of coins and prepaid electronic cards or  
devices.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND  
ADOPT THE ORDINANCE. Second by Vargas. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-53:

SUBJECT: Two actions related to Lease and Joint Use Agreements  
for Kimbrough and Chavez Elementary Schools.  
(Southeast San Diego Community Area. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 6/3/96.  
(Council voted 7-0. District 4 and Mayor Golding not present.):

Subitem-A: (O-96-161) ADOPTED AS ORDINANCE O-18317 (New  
Series)

Authorizing a 25-year lease agreement with the San  
Diego Unified School District regarding the No-fee  
Joint Use of Kimbrough Elementary School.

Subitem-B: (O-96-162) ADOPTED AS ORDINANCE O-18318 (New  
Series)

Authorizing a 25-year lease agreement with the San  
Diego Unified School District regarding the No-fee  
Joint Use of Chavez Elementary School.

FILE LOCATION: SUBITEM A: LEAS-San Diego Unified School  
District Kimbrough Elementary School; SUBITEM  
B: LEAS-San Diego Unified School District  
Chavez Elementary School LEASFY96-2

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND  
ADOPT THE ORDINANCES. Second by Vargas. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

NOTE: Due to substantive amendments, Item 54 should be  
reintroduced today.

ITEM-54: TRAILED TO TUESDAY, JUNE 25, 1996

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, June 24, 1996**

**Page 9**

SUBJECT: Regulatory Relief Ordinance - Coastal Development  
Permit Exemptions.

CITY COUNCIL'S RECOMMENDATION:

Reintroduce the following ordinance which was introduced as amended on 6/11/96. (Council voted 8-0. District 4 not present):

(O-96-120 Rev.1)

Introduction of an Ordinance amending Chapter VI, Article 2, Division 1; Chapter X, Article 1, Division 4; and Chapter X, Article 5, Division 2, of the San Diego Municipal Code by amending Sections 62.0106, 101.0407, 101.0462 and 105.0204, relating to Coastal Development Permit Exemptions; this ordinance supersedes Ordinance No. O-18169 adopted on March 20, 1995, Ordinance No. O-18156 adopted on January 31, 1995, and Ordinance No. O-18056 adopted on April 11, 1994.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: H300-330.)

\* ITEM-55:

SUBJECT: Lease Agreement with AM-SOD, Inc. regarding Acreage in the San Pasqual Valley.

(San Pasqual Valley/Lake Hodges Community Area.  
District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/3/96. (Council voted 7-0. District 4 and Mayor Golding not present.):

(O-96-163 Corrected) ADOPTED AS ORDINANCE O-18319 (New Series)

Authorizing a 30-year lease agreement with AM-SOD, Inc.

regarding approximately 250 acres in the San Pasqual Valley.

FILE LOCATION: LEAS-AM-SOD, Inc. LEASFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-56:

SUBJECT: Proposed Lease Agreement with Warren Communications, Inc., at Brown Field.

(District-8.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-167) INTRODUCED, TO BE ADOPTED JULY 8, 1996

Introduction of an Ordinance authorizing the City Manager to execute a 3-year lease agreement, with one 3-year renewal option, with Warren Communications, Inc., for the use of a 5,000 square-foot building at Brown Field Airport, for newspaper publication purposes, at an initial annual rent of \$24,000.

CITY MANAGER SUPPORTING INFORMATION:

Warren Communications, Inc., (Warren) publishes the Voice and Viewpoint Newspaper. Voice and Viewpoint is an adjudicated newspaper which has served the community for over 35 years. Warren plans to expand its operations by printing other ethnic publications from Brown Field for distribution in the San Diego area. Warren will lease a 5,000 square foot building at a rate of .40 cents per square foot per month for press operations. The term is three years with one three year option. The lease of this property will not interfere with future development of Brown Field.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO INTRODUCE THE ORDINANCE. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Three actions related to South Creek Parcels 35-48 Units 17 and 18 Final Map.

(A 13-lot subdivision located south of Sabre Springs Parkway.

Sabre Springs Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1559) ADOPTED AS RESOLUTION R-287508

Approving the final map.

Subitem-B: (R-96-1560) ADOPTED AS RESOLUTION R-287509

Authorizing the Mayor and City Clerk to sign the final map of South Creek Parcels 35-48 Units 17 and 18, for and on behalf of the City of San Diego as property owner.

Subitem-C: (R-96-1561) ADOPTED AS RESOLUTION R-287510

Accepting a grant deed of Pardee Construction Company, granting to the City Lots 1, 4, 5 and 8 of South Creek Parcels 35-48 Units 17 and 18, in fee simple for open space purposes.

FILE LOCATION: SUBITEM A & B: SUBD-South Creek Parcels 35-48 Units 17 and 18 Final Map. SUBITEM C: DEED

F-6786

DEEDFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101:

SUBJECT: Three actions related to the Final Subdivision Map of Park Place Estates.

(A 47-lot subdivision, located east of Saturn Boulevard. Otay Mesa Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1501) ADOPTED AS RESOLUTION R-287511

Authorizing a Subdivision Improvement Agreement with Park Place Estates, for the installation and completion of certain public improvements.

Subitem-B: (R-96-1500) ADOPTED AS RESOLUTION R-287512

Approving the final map.

Subitem-C: (R-96-1502) ADOPTED AS RESOLUTION R-287513

Authorizing the City Manager to waive the undergrounding requirement of public utility systems and service facilities in connection with the final map, pursuant to Council Policy 600-25.

CITY MANAGER SUPPORTING INFORMATION:

On August 26, 1991 the Subdivision Board of the City of San Diego approved Tentative Map TM-91-0280. As a condition of the approval of the final map, the sub-divider of the property was required to underground an existing overhead utility system and

service facility. The sub-divider has requested a waiver of this condition consistent with Section B.6 of Council Policy 600-25. This policy allows waiver of the under-grounding if the conversion costs prorated over the entire development costs exceed 1 percent of the average sales prices of the living units within the development. Staff review of the conversion costs versus the total costs of the living units indicated that the applicant's request could be granted.

FILE LOCATION: SUBD-Park Place Estates CONTFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102:

SUBJECT: Easement Deed with Pacific Bell for the Mesa Grande Indian Reservation.

(Located at Mesa Grande Road, Santa Ysabel near Sutherland Reservoir.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1574) ADOPTED AS RESOLUTION R-287514

Authorizing the execution of a deed conveying to Pacific Bell an easement to provide telecommunication service to the Mesa Grande Indian Reservation.

CITY MANAGER SUPPORTING INFORMATION:

Pacific Bell has requested an easement over the existing SDG&E easement servicing the Mesa Grande Indian Reservation. Pacific Bell will be using the existing SDG&E facilities. No new poles or anchors will be placed in the easement. The easement is 1,500 feet in length and 12 feet wide. The easement has been reviewed and approved by the City's Water Utilities Department. City staff appraisers have approved the \$2,000 value of the easement.

FILE LOCATION: DEED F-6787 DEEDFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-103:

SUBJECT: Street Dedication of Akins Avenue Between 60th Street and 61st Street.

(South Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1562) ADOPTED AS RESOLUTION R-287515

Accepting a grant deed of Encanto Southern Baptist Church, granting to the City a permanent easement and right-of-way for public street purposes in a portion of Lots 14 through 26 inclusive, in Block 2 of Hollywood Station, Map-1299;

Dedicating and naming the same Akins Avenue.

FILE LOCATION: DEED F-6788 DEEDFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104:

SUBJECT: Black Mountain Road - Street Dedication.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1550) ADOPTED AS RESOLUTION R-287516

Setting aside and dedicating a portion of Lot 11, Larwin Mesa View Unit No. 1, Map-6605; portions of Parcels 3 and 4, Parcel Map PM-5847; and a portion of Lot 1, Larwin Square West Unit No. 1, Map-7928, as and for a public street, and naming the same Black Mountain Road.

CITY MANAGER SUPPORTING INFORMATION:

On May 2, 1995, City Council Resolution R-285696 authorized the acquisition of right-of-way for the widening of Black Mountain Road, between Mira Mesa Boulevard and Gemini Avenue. The project provides for the widening of the west side of Black Mountain Road by five feet to accommodate a bicycle lane and a new right turn lane for traffic accessing westbound Mira Mesa Boulevard. The right-of-way acquired for the widening project now needs to be dedicated for street purposes.

FILE LOCATION: DEED F-6789 DEEDFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105:

SUBJECT: Conflict of Interest Code for the Convention Center  
Expansion Financing Authority.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1374) ADOPTED AS RESOLUTION R-287517

Adopting the Conflict of Interest Code for the  
Convention Center Expansion Financing Authority of the  
City of San Diego.

CITY MANAGER SUPPORTING INFORMATION:

The Political Reform Act of 1974 (Government Code Section 83700, et seq.) requires all agencies to prepare and submit for approval a Conflict of Interest Code to the City Council. The City Attorney's office has reviewed the code and has determined that it conforms to the standards set by the Fair Political Practice Commission (FPPC). Employees designated as having potential conflicts of interest were afforded the opportunity to review and comment on the language.

FILE LOCATION: MEET (Convention Center #62)

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106:

SUBJECT: Fiscal Year 1997 Tax Appropriations Limit.  
(See City Manager Report CMR-96-127.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1556) ADOPTED AS RESOLUTION R-287518

Establishing the following tax appropriations limit for  
the City of San Diego pursuant to the authority of  
California Government Code, Division 9, Title 1,  
(Sections 7900 et seq.):

Established for Fiscal Year 1995	\$673,410,293
Established for Fiscal Year 1996	\$448,603,702
Established for Fiscal Year 1997	\$475,160,586

Declaring that the documentation used to determine the tax appropriations limit has been made available for public information and review at the Office of the City Clerk since June 7, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107:

SUBJECT: Renewal of Eligibility for the Federal Surplus Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-127) ADOPTED AS RESOLUTION R-287519

Authorizing the officials and/or employees whose names, titles, and signatures appear on the Eligibility Renewal Application Federal Surplus Property Program to accept surplus Federal personal property on behalf of the City of San Diego.

CITY MANAGER SUPPORTING INFORMATION:

For many years the City of San Diego has participated in the Federal Surplus Property Program. Under this program the City has obtained property items such as furniture, motive and aviation equipment, and repair parts. Formerly the City designated the Purchasing Agent as the City's representative. Changes in program rules now allow for additional representatives to be designated. The designated representatives must be authorized by City Council to screen, select and take delivery of property. Departments that have participated in the past have identified their representatives. All authorized and designated representatives may deputize any other City employee for a 24 hour period to inspect currently available surplus to determine

suitability.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108:

SUBJECT: Fiscal Year 1996 Metropolitan Wastewater Department  
Operations and Maintenance Deappropriations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1584) ADOPTED AS RESOLUTION R-287520

Authorizing and directing the City Auditor and Comptroller to amend the CIP budget to reduce the previously approved appropriations in Sewer Fund 41508 by \$6,400,000 as follows: decreasing the Point Loma Operations & Maintenance Program 77715 by \$4,000,000; and decreasing the Sludge Disposal Program 77718 by \$2,400,000;

Authorizing and directing the City Auditor and Comptroller to amend the CIP budget to reduce the previously approved appropriations in Sewer Fund 41509 by decreasing the Bond Debt Service 77317 by \$6,000,000, in accordance with the 1996 Appropriation Ordinance.

CITY MANAGER SUPPORTING INFORMATION:

As a result of a review of chemical usage at the Point Loma Wastewater Treatment Plant and the receipt of lower than expected bids for sludge hauling, the Metropolitan Wastewater O&M Division committed to reduce \$6.4 million in the FY 96 budget as part of the November rate case issuance of debt. In addition, because of

the timing of issuance of bonds, the total amount of the budget for bond interest payments in FY 96 will not be fully utilized, so \$6 million can be de-appropriated.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109:

SUBJECT: Transfer of Funds to CIP-37-003.0, Annual Allocation - Facility Requirements.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1558) ADOPTED AS RESOLUTION R-287521

Authorizing the transfer of not to exceed \$68,000 from the Capital Outlay Fund Unallocated Reserve, Fund No. 30244, Org. 111, Job Order No. 902450, to CIP-37-003.0, Annual Allocation - Facility Requirements;

Authorizing the transfer of not to exceed \$133,600 from Fund 100, Department 532, to the Allocated Reserve, Fund 10001, Department 901;

Authorizing the increase of CIP-37-003.0, Annual Allocation - Facility Requirements, by \$68,000 from the Capital Outlay Fund Unallocated Reserve, Fund No. 30244, Org. 111, Job Order No. 902450, and \$133,600 from the Allocated Reserve, Fund 10001, Department 901;

Authorizing the expenditure of not to exceed \$201,600 from CIP-37-003.0, Annual Allocation - Facility Requirements, for the replacement/upgrade of the World

Trade Center elevators and related costs;

Authorizing the Auditor and Comptroller to retain any excess monies in CIP-37-003.0, Annual Allocation - Facility Requirements, for essential improvements to City facilities.

CITY MANAGER SUPPORTING INFORMATION:

In October, 1993, the City of San Diego acquired the World Trade Center building. At that time, a consultant reviewed the building and provided a detailed report on the status of the facility. It was recommended by the consultant that the World Trade Center elevators be replaced. Due to a lack of funding, the City was unable to replace the elevators and this project was given a high priority on the Facilities Maintenance Division's deferred maintenance list. Recently, however, there have been numerous repair problems associated with the elevators in the World Trade Center. In addition, the unreliable service has been the subject of many tenant complaints and has jeopardized rental renewals. A thorough inspection was recently conducted of the World Trade Center elevators; it was determined that immediate replacement of the elevators was necessary to the continued safety and convenience of the tenants and customers of the World Trade Center. Funds were identified in both the Capital Outlay Fund Unallocated Reserve and within Facilities Maintenance Division for this replacement project.

Aud. Cert. 9601259.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-110:

SUBJECT: Additional Funding for Ocean Beach Athletic Area  
Comfort Station.

(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1552) ADOPTED AS RESOLUTION R-287522

Authorizing the City Auditor and Comptroller to reprogram an amount not to exceed \$10,000 from Robb Field Improvements, CDBG Fund 18527, Dept. 4013, Org. 1308 to Ocean Beach Athletic Area Comfort Station, CDBG Fund No. 18529, Dept. 4043, Org. 4302;

Authorizing the expenditure of an amount not to exceed \$10,000 from Ocean Beach Athletic Area Comfort Station Community Development Block Grant Fund No. 18529.

CITY MANAGER SUPPORTING INFORMATION:

This transfer of funds from Robb Field Improvements, CDBG Fund 18527, Dept. 4013, Org. 1308 to Ocean Beach Athletic Area Comfort Station, CDBG Fund 18529, Dept. 4043, Org. 4302 will provide funds necessary to complete construction of the Comfort Station. The Ocean Beach Athletic Area Comfort Station is under construction. An additional \$10,000 is needed for change orders being processed during construction of the project. Change orders are needed due to changes in the scope of work as a result of unforeseen site conditions. Changes in the scope of work were necessary to provide power from a more distant location as required by SDG&E, and additional trenching for sewer and water service.

Aud. Cert. 9601239.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-111:

SUBJECT: Transfer of Funds - District 2 CDBG.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1557) ADOPTED AS RESOLUTION R-287523

Authorizing the City Manager to negotiate contracts with the Little Italy Associates, Ocean Beach Town Council, Point Loma Associates and CCDC to carry out the following projects:

- a. Little Italy Business Improvement District
- b. Ocean Beach Tree Planting Project
- c. Dewey Elementary School Median Landscaping Project
- d. The Centre City Development Corporation (CCDC) Street Trees.

Authorizing the transfer of CDBG funds from Fund 18530, Dept. 4069, Orig. 6903 for interim financing to the following four projects, for a new total of \$36,000:

- a. \$12,000 to Little Italy Business Improvement District
- b. \$8,000 to Ocean Beach Tree Planting Project
- c. \$15,000 to Dewey Elementary School Median Landscaping Project
- d. \$1,000 for The Centre City Development Corporation (CCDC) Street Trees.

Authorizing the City Auditor and Comptroller to expend the funds in accordance with the executed contracts;

Authorizing the City Auditor and Comptroller on or about July 1, 1996 to transfer \$10,000 from the 1997 Mission Hills Association Project and \$12,000 from the 1997 Little Italy Business Improvement District Project to the 1995 District 2 Public Improvement Project and to transfer \$36,000 from the 1997 District 2 Public Improvement Project to Fund 18530, Dept. 4069, Org. 6903 to replace the interim financing which allowed for the acceleration of the above projects.

Aud. Certs. 9601233, 9700006 and 9700007.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112:

SUBJECT: North Park Lions Club Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1545) ADOPTED AS RESOLUTION R-287524

Recognizing the outstanding contributions that the North Park Lions Club has made to improving the lives of residents of North Park and the City of San Diego; Proclaiming Monday, June 17, 1996 to be "North Park Lions Club Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113:

SUBJECT: Excusing Councilmember George Stevens from Attending the Council Meetings of 6/3/96 and 6/4/96.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1573) ADOPTED AS RESOLUTION R-287525

Excusing Councilmember George Stevens from attending  
the regularly scheduled Council meetings of June 3 and  
4, 1996, due to out of town business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-114:

SUBJECT: Excusing Deputy Mayor Valerie Stallings from Attending  
the NR&C Committee Meeting of 6/3/96.

DEPUTY MAYOR STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1576) ADOPTED AS RESOLUTION R-287526

Excusing Deputy Mayor Valerie Stallings from attending  
the Natural Resources and Culture Committee meeting of  
June 3, 1996, due to personal illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-115:

SUBJECT: Excusing Deputy Mayor Valerie Stallings from Attending  
the Budget Hearings in the Community on 6/5/96.

DEPUTY MAYOR STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1575) ADOPTED AS RESOLUTION R-287527

Excusing Deputy Mayor Valerie Stallings from attending  
the Budget Hearings in the community on June 5, 1996,  
due to personal illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-116:

SUBJECT: Excusing Deputy Mayor Valerie Stallings from the  
Council Budget Hearings on June 6, 1996.

DEPUTY MAYOR STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1581) ADOPTED AS RESOLUTION R-287528

Excusing Deputy Mayor Valerie Stallings from attending  
the Council Budget Hearings on June 6, 1996 due to  
personal illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

\* ITEM-117:

SUBJECT: Agreement with CalTrans for an Environmental Document  
for State Route 56 in the Future Urbanizing Area.

(Future Urbanizing Area (FUA), Rancho Pegasus, and  
Carmel Valley Community Areas. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1539) ADOPTED AS RESOLUTION R-287529

Authorizing an agreement with CalTrans for the  
preparation of an environmental document for State  
Route 56 in the Future Urbanizing Area.

CITY MANAGER SUPPORTING INFORMATION:

This Cooperative Agreement was previously approved by Council in a slightly different form on January 30, 1995. However, this previous agreement was not executed by CalTrans. In this revised version, the City is responsible for the preparation of a Project Report, providing projected future traffic volumes for use in the Environmental Document, and other minor responsibilities. State Route 56 will provide a freeway link between Interstate 5 and Interstate 15 in northern San Diego. The end segments of the freeway have been built or are under construction in Rancho Pegasus and Carmel Valley. The State Department of Transportation (CalTrans) has prepared a Project Report for the connecting segment of SR-56, from Black Mountain Road to Carmel Country Road, through the Future Urbanizing Area. The City and CalTrans have prepared an Alternative Analysis Report. Preparation of an Environmental Document is the next step toward the construction of this segment of the freeway. Because the State is unable to prepare the Environmental Document in time to meet the City's needs, the City has offered to undertake the environmental review process at its own expense. The State will provide engineering support, oversight, and review of the document preparation. This Cooperative Agreement will memorialize the responsibilities of the City and the State for the preparation of the Environmental Document. Separate

agreements will be required for the freeway's design and construction phases.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118:

SUBJECT: Re-authorizing the County of San Diego, Environmental Health Services as the Local Enforcement Agency for the City of San Diego.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1567) ADOPTED AS RESOLUTION R-287530

Designating the County of San Diego, Department of Health Services, Environmental Health Services, as the Local Enforcement Agency for solid waste issues in this jurisdiction;

Authorizing an agreement with the County of San Diego, Department of Health Services, to provide technical inspection services at City Solid Waste Facilities;

Authorizing the expenditure of not to exceed \$131,250 from Fund No. 41200, Dept. No. 752, Account No. 4229, Job Order No. 2417.

CITY MANAGER SUPPORTING INFORMATION:

Assembly Bill 939 (Integrated Solid Waste Management Act of 1989), Division 30, Part 4, Chapter 2 of the Public Resources Code requires the City to designate a Local Enforcement Agency (LEA) to enforce the standards for solid waste handling and disposal. AB-939 also requires that all LEA's be certified by the California Integrated Waste Management Board (CIWMB). On

February 3, 1992, pursuant to Council Resolution R-279365, an agreement was executed designating the County of San Diego as the City's LEA for a four year time period and authorizing specific payments for services during those years. The previous agreement has been updated; however, no substantive changes have resulted. Annual renewal options are at the discretion of the City Manager and subject to City Council appropriation of money for this project in the Annual Appropriation Ordinance. The costs for the subsequent renewal periods are consistent with the initial agreement.

Aud. Cert. 9601237.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-119:

SUBJECT: Agreement with Housing Our People Economically (HOPE) for Construction of a Children's Playground at Lincoln Park Cooperative.

(Lincoln Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1553) ADOPTED AS RESOLUTION R-287531

Authorizing an agreement with Housing Our People Economically (HOPE) for the design and construction of a Children's playground at Lincoln Park Cooperative, at the northwest corner of 49th Street and Ocean View Boulevard;

Authorizing the expenditure of not to exceed \$35,000 from CDBG Fund 18531, Dept. 4082, Org. 8219, J.O.

112599.

CITY MANAGER SUPPORTING INFORMATION:

Housing Our People Economically (Hope) is a non-profit organization incorporated in 1991. HOPE provides social services to improve the living conditions in the community, especially lower income persons by preserving quality housing, youth leadership development, and working with others in the community to meet other challenges. HOPE has initiated development of the first limited-equity housing cooperative in San Diego located in the Lincoln Park Community. HOPE is proposing to design and construct a children's playground on a vacant lot adjacent to a 15-unit apartment complex at Lincoln Park Cooperative at the northwest corner of 49th Street and Ocean View Boulevard. On May1, 1995, City Council adopted Resolution R-285685 granting \$35,000 for this project. This action will allow the \$35,000 to be used for this purpose.

Aud. Cert. 9601240.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-120:

SUBJECT: Amendment No. 16 with Montgomery Watson Americas, Inc.,  
for Program Management.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1569) ADOPTED AS RESOLUTION R-287532

Authorizing Amendment No. 16 to the agreement with Montgomery Watson Americas, Inc., for program management support services and additional operations and maintenance support services for the municipal

wastewater collection system and for design management of the advanced water treatment facilities;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$675,000 within Fund 41506, from CIP-44-001.0, Annual Allocation Sewer Main Replacements, to Program Element 70440 (Mains & Manholes Maintenance), Object Account 4118, Job Order 036112;

Authorizing the expenditure of the following amounts from budget funds in the following manner, provided that the City Auditor and Comptroller first furnishes certificates demonstrating that the funds required for the expenditures are, or will be, on deposit in the City Treasury:

- \$72,697,474 - prior approved phases
- \$ 900,000 - from Fiscal Year 1996 appropriations
- \$10,000,000 - from Fiscal Year 1997 appropriations, contingent on approval of the FY 97 CIP budget
- \$ 6,246,414 - from Fiscal Year 1998 appropriations, contingent on approval of the FY 98 CIP budget.

CITY MANAGER SUPPORTING INFORMATION:

On March 22, 1988, the City Council authorized the City Manager to enter into an agreement with Montgomery Watson Americas, Inc., formerly known as James M. Montgomery, Consulting Engineers, Inc., for Program Management Services for the Clean Water Program. The agreement has been subsequently modified by Amendments No. 1 through 15. Amendment No. 13 expanded the scope of work of the agreement to include Operations and Maintenance Support Services for the Metropolitan Wastewater Department. Amendment No. 16 will provide for program management support services and additional operations and maintenance support services for the Municipal Wastewater Collection System, and for the design management of the Advanced Water Treatment Facility. The City's MBE and WBE goals for this agreement are 12 percent and 3 percent, respectively. Montgomery Watson Americas, Inc., has committed to the following goals:

Amendment No. 16: MBE 13.1 percent and WBE 4.1 percent and total agreement: MBE 13.1 percent and WBE 4.1 percent. Amendment No. 16 will create 2 new jobs.

Aud. Cert. 9601268.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121:

SUBJECT: First Amendment to the Agreement with Rice, Hall, James and Associates for Investment Counseling Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1531) ADOPTED AS RESOLUTION R-287533

Authorizing a first amendment to the agreement with Rice, Hall, James and Associates, for investment counseling services to the City Funds Commission, extending the agreement through December 31, 1996.

CITY MANAGER SUPPORTING INFORMATION:

The current agreement with Rice, Hall, James and Associates, investment counselor, expires on June 30, 1996. The Funds Commission desires to extend this agreement until December 31, 1996. In the interim, the Commission intends to hire a consultant to perform services in connection with securing a new investment counsel contract, including an evaluation of the performance of the existing investment counselor and consideration of additional investment counselors. Fees for the services of Rice, Hall, James are based upon assets invested. The cost of investment services for the six month extension is estimated not to exceed \$25,000.

Aud. Cert. 9700004.

FILE LOCATION: MEET CONTFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-122:

SUBJECT: Agreement with San Diego Unified Port District for Design and Construction of the Water Mains on North Harbor Drive.

(Port District Lands. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1594) ADOPTED AS RESOLUTION R-287534

Authorizing an agreement with San Diego Unified Port District for design and construction of water main improvements on North Harbor Drive;

Authorizing the Auditor and Comptroller to transfer not to exceed \$852,391 from Water Fund Unallocated Reserve Fund No. 41500, Program Element 70679 to CIP-73-083.0, Annual Allocation - Water Main Replacements;

Authorizing the expenditure of not to exceed \$852,391 from CIP-73-083.0, Annual Allocation - Water Main Replacements.

CITY MANAGER SUPPORTING INFORMATION:

In association with the development of the North Harbor Drive public right-of-way improvements, the San Diego Unified Port District shall also make improvements to the public water system in North Harbor Drive. These improvements include the removal of approximately 6,982 lineal feet of existing cast iron water main and the replacement of approximately 8,536 lineal feet of various size PVC main and fittings. The City and the Unified Port District find it is in their best interest to expedite the

construction of the water system improvements and that these improvements are necessary and are for the benefit of the City as a whole. The City shall reimburse the Port District for the cost of the design and construction of the water main improvements as long as the work is to the satisfaction of the City Engineer. The reimbursement shall not exceed \$852,391.

Aud. Cert. 9601262.

WWF-DSD-96-247.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123:

SUBJECT: Agreement with the San Diego Unified School District for the Use and Rent of Ten City Swimming Pools.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1504) ADOPTED AS RESOLUTION R-287535

Authorizing a five-year agreement with the San Diego Unified School District for the use and rent of ten City swimming pools.

CITY MANAGER SUPPORTING INFORMATION:

The proposed lease agreement provides a five-year agreement between the San Diego Unified School District and the City. Under provisions of the agreement, the San Diego Unified School District can use and rent the City's ten public swimming pools for the district's swim programs.

FILE LOCATION: LEAS-San Diego Unified School District  
LEASFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124:

SUBJECT: Two actions related to the Rancho Pegasquitos Public Facilities Financing Plan and Facilities Benefit Assessment.

(See City Manager Report P-96-125. Rancho Pegasquitos Community Area. District-1.)

TODAY'S ACTION IS:

Adoption of the following resolutions:

Subitem-A: (R-96-1527) ADOPTED AS RESOLUTION R-287536

Approving the document entitled "Rancho Pegasquitos Public Facilities Financing Plan and Facilities Benefit Assessment, May, 1996."

Subitem-B: (R-96-1528) ADOPTED AS RESOLUTION R-287537

Resolution of Intention to designate an area of benefit in Rancho Pegasquitos and setting the time and place for holding a public hearing.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 5/29/96, LU&H voted 5-0 to approve the City Manager's recommendation. (Councilmembers Mathis, Wear, Stevens, Warden and McCarty voted yea.)

FILE LOCATION: STRT - FB-13

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

\* ITEM-125:

SUBJECT: Two actions related to the Mira Mesa Public Facilities  
Financing Plan and Facilities Benefit Assessment.

(See City Manager Report P96-126. Mira Mesa Community  
Area. District-5.)

TODAY'S ACTION IS:

Adoption of the following resolutions:

Subitem-A: (R-96-1577) ADOPTED AS RESOLUTION R-287538

Approving the document entitled "Mira Mesa Public  
Facilities Financing Plan and Facilities Benefit  
Assessment, May, 1996."

Subitem-B: (R-96-1578) ADOPTED AS RESOLUTION R-287539

Resolution of Intention to designate an area of benefit  
in Mira Mesa and setting the time and place for holding  
a public hearing.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 6/12/96, LU&H voted 3-0 to approve the City Manager's  
recommendation. (Councilmembers Mathis, Warden and McCarty voted  
yea; Councilmembers Wear and Stevens not present.)

FILE LOCATION: STRT - FB-12

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-126:

SUBJECT: Inviting Bids for Court Resurfacing Project - FY 96.

(Linda Vista, Mira Mesa, Ocean Beach, Navajo, Southeast San Diego, South Encanto and Mountain View Neighborhoods, Skyline/Paradise Hills, Balboa Park, Clairemont Mesa, Mid-City, San Ysidro, Otay Mesa Nestor, La Jolla/La Jolla Shores, and Uptown Community Areas. Districts-1,2,3,4,5,6,7, and 8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-96-1367) ADOPTED AS RESOLUTION R-287540

Inviting bids for Court Resurfacing Project - FY 96 on Work Order No. 119772;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of \$100,000 from Fund No. 100, Allocated Reserves, Dept. 901, Job Order No. 954441, and \$200,000 from Fund No. 100, FY 96, Dept. 444, Job Order No. 044410, for providing funds for said project and related costs;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K96089C)

**CITY MANAGER SUPPORTING INFORMATION:**

This project will provide for repairs to existing multi-purpose courts at: Kearny Mesa Community Park, Mira Mesa Community Park, Ocean Beach Recreation Center, Lindbergh Neighborhood Park, Allied Garden Community Park, Martin L. King Community Park, Skyline Community Park, Golden Hill Community Park, Mountain View Community Park, Southcrest Community Park, Memorial Community Park, South Clairemont Community Park, Colina Del Sol Park, Howard Lane Neighborhood Park, Palm Ridge Neighborhood Park, La Jolla Park and Recreation Center, and Mission Hills Park. The repairs may include patching, leveling, surfacing, sealing, color coating, line striping, and pruning tree roots and repairing damaged asphalt pavement as required by the project specifications. These repairs will maintain the courts for

continued safe use by the public.

Aud. Cert. 9601266.

FILE LOCATION: W.O. 119772 CONT - ABC Construction Co. Inc.  
CONTFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-127:

SUBJECT: Excusing Mayor Golding from the Council Meetings of  
5/28/96 and 6/3/96 and 6/4/96, and the Special Evening  
Council Meeting of 6/5/96.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1612) ADOPTED AS RESOLUTION R-287541

Excusing Mayor Susan Golding from attending the  
following meetings, due to out of town personal  
business:

1. The regularly scheduled Council meetings of May  
28, and June 3 and 4, 1996;
2. The Special Evening Council meeting of June 5,  
1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Reviewing and Accepting the Report and Recommendations  
of the Renaissance Commission.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1384 Cor.Copy2) ADOPTED AS RESOLUTION R-287542

Accepting and approving the theme recommendations  
contained in the Report of the Renaissance Commission,  
Spring 1996;

Directing the City Manager to begin development of an  
implementation plan, in partnership with members of the  
Renaissance Commission, and affected communities and  
organizations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-E214.)

MOTION BY KEHOE TO APPROVE THE CONCEPTS IN THE REPORT OF THE RENAISSANCE COMMISSION AND TO DIRECT STAFF TO: 1) DEVELOP A PILOT PROGRAM AND IMPLEMENTATION SCHEDULE FOR THE NEW COMMUNITY SERVICE CENTER MODEL FOR NEIGHBORHOOD SERVICE CENTERS AND THAT PLAN COME BACK TO PS&NS FOR APPROVAL. THE IMPLEMENTATION PLAN SHOULD INCLUDE ALL PROGRAM ELEMENTS OUTLINED IN THE RENAISSANCE REPORT SUCH AS SPECIFIC STAFFING ASSIGNMENTS FOR THE COMMUNITY SERVICE TEAM AND MANAGER, AND BOTH CAPITAL AND OPERATIONS AND MAINTENANCE (O&M) COSTS. THE PLAN SHOULD BE SPECIFIC AS TO THE DOLLAR AMOUNTS; 2) DIRECT STAFF TO TAKE THE COMMUNITY ACTION COUNCIL (CAC) MODEL WHICH IS VOLUNTARY TO EXISTING COMMUNITY GROUPS/ORGANIZATIONS FOR ADDITIONAL INPUT MAKING SURE THAT ALL GROUPS UNDERSTAND THE PROPOSED MODEL AND HOW IT CAN BE ADAPTED FOR THE PARTICULAR NEEDS OF EACH NEIGHBORHOOD. HAVE DISCUSSIONS WITH PARK AND RECREATION COUNCILS, COMMUNITY ASSOCIATIONS, TOWN COUNCILS, BUSINESS GROUPS, VOLUNTARY GROUPS, AND CHURCH AND PTA GROUPS IF THEY

ARE INTERESTED ABOUT HOW THIS METHOD WOULD FUNCTION AND ALLOW EACH COMMUNITY TO DETERMINE IF THEY WANT TO GO FORWARD BEFORE BEGINNING ANY CERTIFICATION PROCESS. DIRECTION TO THE CITY MANAGER TO RESPOND TO THE ISSUE OF THE STRUCTURE OF THE CAC, CITY STAFF SUPPORT AND ADMINISTRATIVE COSTS, HOW THE CACs RELATE TO EXISTING COMMUNITY GROUPS, (PARTICULARLY THE PLANNING GROUPS CONCERNS) AND HOW THEY WOULD INTERFACE WITH THE CACs, HOW THEY WOULD GET THEIR FAIR SHARE OF CITY STAFF SUPPORT, AND TO ADDRESS ALL THE EQUITY ISSUES WITH ALL THE COMMUNITY GROUPS. ALSO, THERE NEEDS FURTHER CLARIFICATION OF THE CAC AREA BOUNDARIES; 3) DIRECT STAFF TO FORMULATE AN INITIAL LIST FOR SUPERFUND PROJECTS IN FY1997 AND REPORT TO THE FULL COUNCIL OR PS&NS WHICHEVER COUNCIL PREFERS FOR REVIEW AND APPROVAL. (COUNCIL HAS YET TO DEFINE THE SUPERFUND, WHAT PROJECTS ARE GOING TO BE ON THE LIST AND WHAT THE CRITERIA IS FOR THE PROJECTS.) THE LIST SHOULD BE BASED ON THE CRITERIA OUTLINED IN THE RENAISSANCE REPORT WITH A PARTICULAR EMPHASIS ON STREET IMPROVEMENTS AND SHALL BE ALLOCATED BY THE CITY COUNCIL; 4) DIRECT STAFF TO WORK WITH OTHER JURISDICTIONS, NON-PROFITS AND PRIVATE SECTOR ENTITIES, TO CREATE A NEW JOINT-USE POLICY FOR THE CITY OF SAN DIEGO THAT MAXIMIZED THE SHARED USE OF PUBLIC FACILITIES AND REPORT BACK TO PS&NS WITH THE DRAFT POLICY AND IMPLEMENTATION PLAN; 5) DIRECT INTERGOVERNMENTAL RELATIONS DEPARTMENT TO WORK WITH THE CITY'S LOBBYISTS IN SACRAMENTO AND WASHINGTON D.C. TO SPONSOR OR SUPPORT STATE AND FEDERAL LEGISLATION THAT PROVIDES INCENTIVES SUCH AS TAX CREDITS FOR COMPANIES THAT PROVIDE RESOURCES FOR INFRASTRUCTURE PROJECTS ABOVE AND BEYOND THE FBA AND DIF PROCESS; AND 6) AS THE COUNCIL AND CITY MANAGER BEGIN THE TASK OF EVALUATION AND IMPLEMENTING THE SPECIFIC RECOMMENDATIONS IN THE RENAISSANCE REPORT, IT IS CLEAR THAT THERE IS NEED FOR ADDITIONAL PUBLIC INPUT ON SOME OF THE RECOMMENDATIONS. AS OUTLINED ON PAGE 59 OF THE REPORT, I PROPOSE THE JOB OF WORKING OUT THE DETAILS OF THE RECOMMENDATIONS, AND IMPLEMENTATION WILL BE HANDLED THROUGH THE PUBLIC SAFETY AND NEIGHBORHOOD SERVICES (PS&NS) COMMITTEE.

MAYOR GOLDING SUGGESTED AND COUNCIL MEMBER KEHOE ACCEPTED TO NOT LIMIT A PILOT PROGRAM AND IMPLEMENTATION SCHEDULE FOR THE NEIGHBORHOOD SERVICE CENTERS TO THE FOUR EXISTING NEIGHBORHOOD SERVICE CENTERS ONLY.

ACCEPT COUNCIL MEMBER WEAR'S RECOMMENDATIONS AS STATED IN HIS MEMO TO MAYOR GOLDING AND COUNCIL MEMBERS DATED JUNE 24, 1996, AND DISTRIBUTED IN CHAMBERS WITH THE FOLLOWING

EXCEPTIONS: 1) RENAMING THE SUPERFUND TO THE URBANFUND AND; 2) TO INCORPORATE THE YEAR OF 1950 FOR ELIGIBLE NEIGHBORHOODS AS AN ALTERNATIVE FOR STUDY AND DISCUSSION. THE RECOMMENDATIONS MADE BY COUNCIL MEMBER WEAR IN HIS MEMO ARE AS FOLLOWS: 1) THEME ONE: DECENTRALIZE GOVERNMENT THROUGH COMMUNITY SERVICES CENTER AND COMMUNITY SERVICE TEAMS. THE CITY MANAGER AND THE IMPLEMENTATION TEAM WOULD DEVELOP A SPECIFIC PLAN FOR THE IMPLEMENTATION OF THE NEIGHBORHOOD SERVICE CENTERS AND RETURN TO COUNCIL FOR APPROVAL PRIOR TO EXECUTION. A. WORK WITH COUNCIL OFFICES AND THE COMMUNITY TO DEFINE COMMUNITY LOCATIONS AND, WHERE POSSIBLE PROVIDE RECOMMENDATIONS FOR SPECIFIC SITES; AND B. PROVIDE AN ORGANIZATION CHART AND SPECIFIC JOB DESCRIPTIONS; 2) THEME TWO: FORM COMMUNITY ACTION COUNCILS. IT IS MY UNDERSTANDING THAT THE CITY MANAGER AND THE EXISTING COMMUNITY ADVISORY GROUPS WILL WORK TOGETHER TO DETERMINE A COMMUNITY-SPECIFIC PLAN FOR IMPLEMENTATION. HOWEVER, THE MANAGER SHOULD RETURN TO PS&NS WITH A DETAILED PLAN OF FINAL RESPONSIBILITIES AND STAFFING OF CACs THAT TAKES INTO CONSIDERATION: A) CAC WOULD RECOMMEND COMMUNITY PROJECTS ON AN ANNUAL BASIS WITH COLLABORATION AND TECHNICAL ASSISTANCE FROM STAFF AND COUNCIL OFFICES. BUDGET PRIORITIZATION SHOULD REMAIN A COUNCIL OBLIGATION AND RESPONSIBILITY. FINAL ALLOCATION OF PUBLIC FUNDS MUST BE CONSIDERED IN THE OVERALL CONTEXT OF COMMUNITY-WIDE OR DISTRICT-WIDE PROJECTS; AND B) INSURE THE COMPREHENSIVE COMMUNITY INTERESTS ARE REPRESENTED IN THE CAC; AND 3) THEME THREE: CREATE NEIGHBORHOOD REVITALIZATION SUPERFUND/ESTABLISH SUPPORT FOR OLDER URBAN NEIGHBORHOODS AND THE MANAGER TO RETURN TO COUNCIL WITH DETAILED STRATEGY FOR SUPERFUND ALLOCATION INCLUDING: A) IMPACT OF REALLOCATION OF EXISTING CITY RESOURCES AND HOW THIS WILL EFFECT NEIGHBORHOODS THAT MAY NOT QUALIFY, BUT HAVE INFRASTRUCTURE NEEDS WHICH ARE DEEMED TO BE CRITICAL. B) CITY FUNDING SOURCES SHOULD REMAIN SEPARATE FROM PRIVATE FUNDS. MANAGER TO RETURN WITH A PLAN FOR COORDINATION BY THE COUNCIL WHICH IS RESPONSIBLE FOR THE APPROVAL OF CITY FUNDS AND THE PRIVATE 501 (c) (3) ADVISORY BOARD TO INSURE COORDINATION OF COMMUNITY PROJECTS AND ADEQUATE FUNDING FOR TARGETED PROGRAMS FROM BOTH THE PUBLIC AND THE PRIVATE SECTOR; AND C) IDENTIFY A SPECIFIC PLAN FOR CITY FUNDING SOURCES INCLUDING NEW REVENUE SOURCES THAT COULD SUPPORT THESE EFFORTS.

ACCEPT COUNCIL MEMBER McCARTY'S RECOMMENDATIONS AS PART OF THE MOTION TO: 1) APPROVE IN CONCEPT AND REFER TO THE CITY MANAGER FOR INCLUSION IN THE FY97 BUDGET THE COMPUTER SYSTEM

AND INTERNET UPGRADE PROJECTS IN THE CITY CLERK'S OFFICE AT THE COST OF APPROXIMATELY \$324,000 IN ORDER TO MAXIMIZE THE PUBLIC'S TIMELY ACCESS TO GOVERNMENT INFORMATION, AND TO ENABLE COMMUNITY SERVICE CENTERS TO CONNECT TO THE CITY OBTAINING THE INFORMATION THEY NEED; AND 2) UTILIZE EXISTING PUBLIC FACILITIES AND EMPTY STOREFRONTS FOR COMMUNITY SERVICE CENTERS.

Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201: TRAILED TO TUESDAY, JUNE 25, 1996

SUBJECT: Branch Libraries Ballot Initiative.

(See Committee Consultant Analysis PS&NS 96-4; Councilmember McCarty's memorandum of 4/19/96; Library Funding Options; City Manager Report CMR-95-289; City Manager Report CMR-95-255; City Attorney's Report of 10/27/95; Councilmember McCarty's memorandum of 9/7/95.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-1511)

Approving the list of 20 branch libraries to be constructed with a portion of the City's share of the sales tax revenue from the November, 1996 Ballot Measure;

Declaring that a limit of \$65 million shall be used for branch library construction;

Declaring that the balance of the revenues from the sales tax increase shall be placed in a special library endowment fund to be established;

Supporting the November, 1996 Countywide Sales Tax Ballot Measure that includes the City of San Diego's spending priorities.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:

On 5/15/96, PS&NS voted 4-0 (Councilmembers Wear, Kehoe, McCarty and Vargas voted yea; Councilmember Stevens not present) to:

- A. Adopt the list of 20 branches to be constructed and set a limit of \$65 million for branch construction. The balance of all other revenues received from the County Library Tax will be placed in a special library endowment fund to be established.
- B. Direct staff to prepare a resolution in support of the County ballot measure that includes the City of San Diego's spending priorities.
- C. Direct the City Attorney's office to prepare the ballot language on the "Maintenance of effort" and library endowment fund Charter Amendments and return to the Public Safety and Neighborhood Services Committee on June 12, 1996.

SUPPORTING INFORMATION:

There are twenty branches to be constructed:

- Balboa
- Clairemont
- College Heights
- Kensington
- La Jolla Branch - Parking
  - Logan Heights
  - Mission Hills
  - Mission Valley
  - North Clairemont
  - North Park
  - Oak Park
  - Ocean Beach
  - Paradise Hills
  - Point Loma
  - San Carlos
  - San Ysidro
  - Serra Mesa
  - Skyline Hills
  - University City N.
  - University Heights

NOTE: Balboa, North Park, and San Carlos are expansions of existing facilities. The La Jolla Branch entails parking improvements only.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: H300-330.)

ITEM-202:

SUBJECT: Reduced Water and Sewer Capacity Charges.

(See City Manager Report CMR-96-131.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1480) ADOPTED AS RESOLUTION R-287543

Establishing the following water capacity charges, pursuant to San Diego Municipal Code Section 67.72, and establishing the following sewer capacity charges, pursuant to San Diego Municipal Code Section 64.0410:

1. A minimum capacity charge of \$2,500 per equivalent family unit (also known as equivalent dwelling unit) or its equivalent shall be paid;
2. Notwithstanding the above, a minimum capacity charge of \$1,500 per equivalent family unit or its equivalent shall be paid for: 1) affordable housing units, defined as units planned to be occupied by (and with rates affordable to) families earning no more than 65 percent of median area income adjusted for family size as certified by the San Diego Housing Commission; 2) new residential construction in City approved Redevelopment Areas; or 3) commercial and industrial enterprises which, as determined by the City Manager, meet all the criteria in Council Policy 900-12 as follows:
  - a. Contribute to the improvement and growth of the City's economic base;
  - b. Demonstrate an established track record for high volume tax revenue generation;
  - c. Provide employment opportunities for City residents;
  - d. Demonstrate a long-term commitment to the community;

- e. Are consistent with the City's Economic Development Policy and Strategic Plan and the community's needs and objectives; and
- f. Generate or retain stabilized annual City tax revenues of at least \$500,000, or create 200 quality jobs, or provide substantial new or expanding scientific research facilities.

Directing the City Manager to develop financing plans that incorporate these reduced water and sewer capacity charges with recommended levels of service charges and bond financing, and with no service charge increases caused by the capacity charge reductions;

Declaring that the charges imposed due to reimbursement agreements entered into by the City of San Diego shall be collected where applicable in every case;

Authorizing the City Manager to review water and sewer capacity charges paid on or after April 22, 1996 and make appropriate reimbursements in conformance with the charges authorized.

FILE LOCATION: WATER-water capacity charges

COUNCIL ACTION: (Tape location: E219-G253.)

Motion by Warden to approve the Manager's Recommendation.  
Second by Wear. No Vote Taken.

Substitute Motion by Stevens to continue this item until the report on improving the infrastructure and the cost of improving the infrastructure within the City can come back to Council for review and discussion. Second by Kehoe. Failed by the following vote: Mathis-nay, Wear-nay, Kehoe-yea, Stevens-yea, Warden-nay, Stallings-yea, McCarty-nay, Vargas-nay, Mayor Golding-nay.

MOTION BY WARDEN TO APPROVE THE MANAGER'S RECOMMENDATION AND ADOPT THE RESOLUTION. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-nay, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Two actions related to Housing Trust Fund, Housing  
Impact Fees and Business Cooperation Program.

(See City Manager Report CMR-96-129; Planning  
Department Reports P-96-093 & P-96-133; Committee  
Consultant Analysis LUH-96-2 Rev.; Housing Trust Fund  
Task Force's 2/21/96 memorandum; Housing Trust Fund  
Issues; CDBG Allocation; Citizens' Letters.)

TODAY'S ACTIONS ARE:

Introduction of the following ordinance and adoption of the  
resolution:

Subitem-A: (O-96-168) TRAILED TO TUESDAY, JUNE 25, 1996

Introduction of an Ordinance amending Appendix A of  
Division VI, Chapter IX, Article VIII, of the San Diego  
Municipal Code relating to the San Diego Housing Trust  
Fund, to read as follows:

Type of Use	Fee/Building Square Feet
Office	\$1.06
Hotel	\$0.64
Research and Development	\$0.80
Retail	\$0.64
Manufacturing	\$0.64
Warehouse	\$0.27

Subitem-B: (R-96-1607) TRAILED TO TUESDAY, JUNE 25, 1996

Amending Council Policy No. 700-02 regarding Community  
Development Block Grants (CDBG).

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 5/29/96, LU&H took the following actions:

1) Voted 3-2 to approve the Committee Consultant's  
recommendations to: Beginning in Fiscal Year 1998, allocate 20  
percent of the Community Development Block Grant (CDBG) funding  
for affordable housing under the "Option 1/District-specified"  
method, and commit the entire annual CDBG Loan Repayment to the

Housing Trust Fund. (Councilmembers Mathis, Wear, and Stevens voted yea. Councilmembers Warden and McCarty voted nay.)

2) Voted 5-0 to refer to the City Manager inclusion of a \$115,000 Housing Trust Fund line item from Transient Occupancy Tax in the City's Fiscal Year 1998 budget. Direct the City Manager and Housing Commission to return to the Land Use and Housing Committee with recommendations on alleviating development permit issues, such as off-street parking regulations, that deter construction of Single Room Occupancy (SRO) hotels. (Councilmembers Mathis, Wear, Stevens, Warden and McCarty voted yea.)

3) Voted 5-0 to support reducing the water and sewer capacity fees for affordable housing below the rate charged for residential housing, as approved by the Rules Committee item "Proposed Reduction of Water and Sewer Capacity Charges" (reference City Manager Report CMR-96-97 to Committee on Rules, Finance, and Intergovernmental Relations, April 22, 1996), and to recommend including all residential housing in redevelopment areas at the same rate as affordable housing. (Councilmembers Mathis, Wear, Stevens, Warden and McCarty voted yea.)

4) Voted 5-0 to reduce the Housing Impact Fee on Commercial Development (Linkage Fee) by 50 percent starting July 1, 1996 (Fiscal Year 1997). (Councilmembers Mathis, Wear, Stevens, Warden and McCarty voted yea.)

5) Voted 5-0 to approve the Committee Consultant's recommendation to not transfer uncommitted Redevelopment Agency Low/Mod Funds to the Housing Trust Fund. (Councilmembers Mathis, Wear, Stevens, Warden and McCarty voted yea.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: G256-H330.)

ITEM-204: TRAILED TO TUESDAY, JUNE 25, 1996

SUBJECT: Retrofit Participation Agreement for the Design and Construction of the On-site Irrigation Systems Using Reclaimed Water.

(See City Manager Report CMR-96-112. University, Mira Mesa, Scripps Miramar Ranch, and Miramar Ranch North Community Areas. Districts-1 and 5.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-1474)

Authorizing the City Manager to enter into and execute Retrofit Participation Agreements with customers in an amount not to exceed \$50,000 each when funds are available, in connection with the retrofit of on-site irrigation systems using reclaimed water;

Authorizing the City Manager to establish reclaimed water rates at 90 percent of the rate for potable water.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/22/96, NR&C voted 3-2 to approve the following actions relative to Retrofit Participation Agreements for on-site irrigation systems using reclaimed water (Councilmembers Mathis, Warden and Stallings voted yea. Councilmembers Kehoe and McCarty voted nay):

- A. Accept City Manager Report CMR-96-112 regarding Retrofit Participation Agreements for on-site irrigation systems using reclaimed water.
- B. Approve the City Manager's recommendation to adopt a resolution authorizing the City Manager to enter into and execute Retrofit Participation Agreements with customers not to exceed \$50,000 each (when the funds are available).
- C. Approve the City Manager's recommendation to adopt a resolution to establish reclaimed water rates at 90 percent of the potable water rate for all users with an additional discount at 80 percent of the potable rate for the California State Department of Transportation.
- D. Direct the City Manager to provide answers to the following questions raised during the May 22, 1996, Natural Resources and Culture Committee meeting prior to the matter being heard by the full Council:
  1. What are the overall total costs of the City's reclaimed water system, specifically in terms of reclaimed water production and distribution, including both capital and operations and maintenance costs?
  2. What are the projected long-term economic benefits and

losses to the City of the proposed 10 percent discount from the potable water rate for all reclaimed water customers?

3. What are the projected long-term economic benefits and losses to the City of the proposed 20 percent discount from the potable water rate for reclaimed water purchased by the California State Department of Transportation?

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: H300-330.)

ITEM-205:

SUBJECT: Inviting Bids for Slurry Seal Coating Various Streets  
City Wide - Group 11.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1366) ADOPTED AS RESOLUTION R-287544

Inviting bids for Slurry Seal Coating Various Streets  
City Wide-Group 11;

Authorizing the execution of a contract with the  
lowest responsible bidder;

Authorizing the expenditure of \$2,450,000 from Gas Tax  
Fund 302191;

Authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-K96203C)

CITY MANAGER SUPPORTING INFORMATION:

Slurry seal is a pavement surface treatment that is applied as part of a comprehensive pavement maintenance program. It is used on streets which are in good condition to keep them in good condition. Slurry sealing and other similar pavement surface

treatments, when used in a timely manner can be very effective in reducing the need for later, more expensive pavement repairs. By following a pavement maintenance program, including slurry sealing, the long term costs of pavement maintenance are reduced. The slurry seal works by replacing the liquid asphalt oils in the top layer of pavements, and by sealing the street from water intrusion into the pavement layers. The proposed contract provides for the placement of approximately 30,000 tons of slurry seal to coat 180 miles of street throughout the city. Locations for Slurry Sealing are chosen through use of the City's new Pavement Management System.

The system uses surveys of City streets to determine their current condition, and to provide data to predict their future condition with different types of maintenance practices. The system finds the best method to maintain each section of street and then looks at the entire city street system to find the most cost effective schedule over a ten year period. This system is currently being tested, and the proposed schedules checked for accuracy and reasonableness. A draft three year schedule will be presented to the Mayor and City Council as part of the FY 1997 budget discussions. A final list of locations for the project will not be developed until just prior to the start of work which is expected to be in the late summer or fall of this year.

Aud. Cert. 9601254.

FILE LOCATION: CONT - American Asphalt Repair  
CONFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Agreement with P&D Consultants, Inc. for Brown Field  
Airport Improvements.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1589) ADOPTED AS RESOLUTION R-287545

Authorizing an agreement with P&D Consultants, Inc.  
(San Diego), for professional design services for the  
Brown Field Airport Improvements Project;

Authorizing the expenditure of not to exceed \$304,229  
from CIP-31-166.0, Brown Field Airport Improvement  
Project, Fund 30244, Dept. 30244, Org. 114.

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the design and construction of airport improvements to the Brown Field Municipal Airport in Otay Mesa. The proposed improvements consist of approximately 2,300 feet of extension to Taxiway "Alpha" and pavement rehabilitation of the existing 8,000 foot Runway 8L/26R. Drainage and signage improvements will also be included in this project. In accordance with Council Policy 300-7 and Administrative Regulation 25.60, the project was advertised publicly and the Consultant Nominating Committee selected the top five design firms from those which submitted a Statement of Qualifications. These consultants were interviewed on January 29, 1996 by staff of the Airports Division of the Real Estate Assets Department and the Engineering and Capital Projects Department.

The firm of P&D Consultants, Inc. was recommended for professional design services. Fee negotiations were consummated on June 1996, resulting in mutually acceptable terms and conditions including a base fee of \$254,229 and as-needed additional services in the amount of \$50,000. 7.8 percent of the base fee will be awarded to Affinis for Environmental Services, 7.5 percent of the base fee will be awarded to Ninyo & Moore for Geotechnical Services, and 7.8 percent of the base fee will be awarded to Touchdown Engineering for pavement design and quality control services.

Aud. Cert. 9601271.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207:

SUBJECT: Implementation of a Job Order Contracting System.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1547) ADOPTED AS RESOLUTION R-287546

Authorizing the City Manager to advertise for sealed bids for a Job Order Contract;

Authorizing the City Manager to award the Job Order Contract to the lowest responsible bidder based on reference to a uniform cost index, with total annual task authorization not to exceed \$5,000,000;

Authorizing the expenditure of not to exceed \$50,000 from Fund No.41508, CIP-46-119.0, Annual Allocation - Point Loma Treatment Plant, for funding the base value of the Job Order Contract;

Declaring that all task authorizations under the Job Order Contract requiring expenditures above the base \$50,000 shall be contingent upon the City Auditor first furnishing a certificate demonstrating that funds necessary for task authorizations are, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

In October 1995, the City Manager executed a contract with F.H. Paschen/S.N. Nielsen Inc., the lowest responsible bidder for the Job Order Contract (JOC) for an amount not to exceed \$1,000,000. Subsequently, in April 1996, Council Resolution R-287125 authorized an additional \$2,000,000 for a total not to exceed amount of \$3,000,000. The Metropolitan Wastewater Department has a continuing need for as-needed construction contracts for small CIP construction projects such as repairs

needed at the Point Loma Wastewater Treatment Plant. Each JOC is competitively procured using a request for bids and has a pre-established minimum and maximum dollar amount.

The contractor bids a factor or multiplier which is applied to all of the unit prices in the unit price book. The contractor with the lowest factor and a responsive, responsible bid is awarded the contract. When work is ordered by task order, the contractor and the City's representative meet to scope the work and prepare a task order. Appropriate unit priced items are selected from the contract document, the number of units are identified, and the contractor's factor is applied to the costs pulled from the contract documents. Work is accomplished by the issuance of individual task orders to the contractor. The City is under no obligation to pay the contractor any more than the \$50,000 minimum contract obligation, and therefore the contractor has an incentive to deliver quality work in a timely fashion in order to get additional work. JOC has been in use in various public agencies since the mid 1980's. Agencies currently using JOC include the U.S. Army, U.S. Navy, U.S. Air Force, NASA, HUD, U.S. Postal Service and numerous municipal governments and counties around the country. Under the current Job Order Contract a budget of \$2,679,464 was approved for 20 MWWD jobs. These jobs were accomplished for \$2,017,515 saving ratepayers over \$600,000. The continuation of the Job Order Contract system will enable the Metropolitan Wastewater Department to achieve its objective of rapidly engaging contractors in critical and necessary work while lowering costs. Due to the nature of the as needed construction contract projects, the percentage of MBE/WBE subcontractors is dependent upon the tasks authorized by the City and type of work required by those tasks. The Job Order Contracting System which is currently in place has attained a 35 percent MBE/WBE percentage to date.

Aud. Cert. 9601230.

FILE LOCATION:           W.O. 461190   CONT - R.E. Hazard Contracting  
  Company                                   CONTFY96-1

COUNCIL ACTION:                   (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208: TRAILED TO TUESDAY, JUNE 25, 1996

SUBJECT: Fiscal Year 1998 Labor Contract Extensions and  
Retirement System Changes.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1593)

Approving the tentative agreements with Local 145 of the International Association of Fire Fighters (Local 145), the San Diego Municipal Employees' Association (MEA), and Local 127 of the American Federation of State, County and Municipal Employees' Association (Local 127), regarding wages, hours, and other terms and conditions of employment for Fiscal Year 1998;

Approving the proposed benefit increase changes to the City Employees' Retirement System (CERS), contingent upon an affirmative vote of the participants.

CITY MANAGER SUPPORTING INFORMATION:

The Management Team of the City of San Diego has met and conferred with Local 145 of the International Association of Firefighters (Local 145), with the Municipal Employees' Association (MEA), and with Local 127 of the American Federation of State, County and Municipal Employees' Association (Local 127) regarding wages, hours and other terms and conditions of employment for the respective employees that each represents. Pursuant to these negotiations, the Management Team has agreed to the provisions summarized in the tentative agreements with each of these three labor organizations for FY 98 Memorandum of Understanding extensions. In addition, the Management Team has met and conferred with POA, Local 145, MEA and Local 127 regarding changes to the San Diego City Employees' Retirement System (CERS).

All four labor organizations have tentatively agreed to the terms of this proposal subject to various contingencies contained in the agreements. Subsequent to this approval by the City Council, and an affirmative vote of the retirement system members, related to retirement benefits, the terms of these agreements will be incorporated into Memorandum of Understanding language for

Council approval, and the retirement systems changes will be incorporated into Municipal Code revisions for approval of necessary Ordinances by the Council.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO TRAIL TO TUESDAY, JUNE 15, 1996 AT THE CITY MANAGER'S REQUEST. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.  
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1585) ADOPTED AS RESOLUTION R-287547

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

SUPPORTING INFORMATION:

For more than 60 years, raw sewage from the Republic of Mexico has flowed unabated into the United States plaguing the residents of San Diego. This flow is a serious threat to the region, creating health hazards, forcing the closure of beaches and impacting local businesses. For this reason, the City Council has continued to declare a State of Emergency in the Tijuana River Valley.

The solution to this long standing problem is the construction of the International Treatment Facilities. The facilities consist of a 25 million gallon per day (mgd) secondary treatment plant in the United States, canyon collectors in Goat Canyon and

Smuggler's Gulch to collect renegade sewage, and the South Bay Ocean Outfall. The status of these projects is as follows:

SOUTH BAY INTERNATIONAL WASTEWATER TREATMENT PLANT

- A. Construction Contract 1 (CC-1) - Site Preparation.  
Construction: Completed February 23, 1995 at a cost of \$4,873,615.
- B. Construction Contract 2 (CC-2) - Advanced Primary Facilities.  
Construction: June 1995 - March 1997.  
Construction completion is on target for the December 1996 goal, with startup testing projected for January 1997. As of March 31, 1996, the percent completion was 51 percent. Overall, rebar placement, electrical conduit installation, and concrete placement are ongoing for all major structures. Most of the below ground structures are near completion and backfilling of foundations is ongoing.

Vertical walls are complete or almost complete for the headworks, primary sedimentation tanks and gallery, truck loading building, solids processing building, primary skimmings pump station, non-potable water pump station, and unstabilized sludge storage tank. Upper decks are complete or almost complete for the sludge dewatering building, primary sedimentation tank gallery, and solids processing building. Placement of the concrete for the primary sedimentation tank walkways and grouting of tank bottoms is ongoing.

Foundations and walls for the influent metering vault are complete. Rebar installation and formwork is in process for the grit chamber bypass walls. Preparation and concrete placement for slab on grades for the odor reduction stations, polymer addition area, and chlorination facility has begun. Installation of the walls and roof for the personnel building and main switchgear building is complete; exterior finish of these buildings are complete and installation of HVAC, plumbing, lighting, insulation, sheetrock, etc. is ongoing.

Placement of the perimeter fence columns is ongoing and should be complete by mid-May. Work at the border to connect the primary influent pipeline to the existing junction structure in Mexico and construction of Junction Structure No. 1 in the U.S. has begun. San Diego Gas &

Electric has commenced work to provide permanent electrical services to the treatment plant site.

C. Construction Contract 3 (CC-3) - Secondary Treatment Facilities.

Design: December 1993 - April 1996

Construction: On-hold

The design of the activated sludge secondary system was completed on May 1, 1996. Construction is on hold pending the completion of a Supplemental Environmental Impact Statement (SEIS) and a decision on the best alternative method for secondary treatment. A draft SEIS is expected to be released for public review in August/September 1996.

D. Construction Contract 4 (CC-4) - Collection System.

Design: December 1993 - March 1996

Bid Solicitation: April 1996 - July 1996

Construction: July 1996 - September 1997

Design was completed on March 27, 1996. Construction is scheduled to begin on July 18, 1996 and be completed by September 1997.

E. Operations and Maintenance.

The State Department has reprogrammed construction funds in FFY 1996 to allow the International Boundary and Water Commission (IBWC) to award a small O&M contract by July 1996, that will bring aboard the private contractor who will begin planning to operate the plant. Funds in the amount of \$14 million have been requested in FFY 1997 for full operation of the plant. The IBWC is in the process of reviewing Statements of Qualifications from potential contractors.

The IBWC has also reprogrammed funds to cover payments to the City for treatment of Tijuana sewage at Point Loma through September 30, 1996.

Funding for FFY 1997 has been requested through the budget process.

SOUTH BAY OCEAN OUTFALL

A. Package 1 - Special Structures.

Construction Contractor: Colich and Sons  
Bid: \$9,950,000  
Construction: April 1996 - July 1997

The contractor will begin mobilizing in July and is expected to begin work onsite in August 1996.

B. Package 2 - Tunnel.

Construction Contractor: Traylor Brothers/Obayashi  
Bid: \$88,285,000  
Construction: September 1995 - May 1998  
Startup: June 1998

During the week of May 18, 1996, while excavating the drop shaft, the contractor ran into problems. The shaft had been excavated to approximately 90 feet when groundwater and soil began to intrude into the shaft. Approximately 40 to 50 feet of material came into the shaft. The contractor backfilled the excavation and is currently taking soil temperature readings to locate any warm spots and to determine the cause of the problem. In the meantime, the ground freezing operation is continuing and the contractor is adding additional freeze holes. The cause of the problem is still under review. The contractor expects to restart the excavation the week of June 24, 1996.

The tunnel boring machine is scheduled to be delivered in Long Beach on June 11, 1996 and to be on-site by the week of June 17, 1996. The tunnel riser is to be shipped from Vallejo, CA on June 17, 1996 and the offshore work on the riser is to commence in mid-July.

C. Package 3 - Marine Works.

Construction Contractor: Fletcher General, Inc.  
Bid: \$36,442,000  
Construction: November 1995 - October 1997

The offshore trench excavation began on June 3, 1996. Three hundred feet has been excavated. The pipe laying was delayed by two weeks due to problems with the Panama Canal passage of the pipe laying barge.

The pipe laying is expected to begin in July.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-S400: NOTED AND FILED

SUBJECT: Changing the Time of the Regularly Scheduled Council Meeting of July 1, 1996 from 2:00 p.m. to 6:00 p.m., to be Located at the NTC Support Center, Building 623.

RULES COMMITTEE CONSULTANT'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1627)

Directing the City Clerk to adjourn the regularly scheduled 2:00 p.m. Council meeting of Monday, July 1, 1996 to 6:00 p.m. on the same day to be held at the NTC Support Center, Naval Training Center, San Diego (enter Gate #3 on Rosecrans Street or Gate #10 on Harbor Drive);

Directing the City Clerk to publish this resolution once in the City's official newspaper at least 24 hours prior to the meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A291-452.)

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 7:52 p.m.

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, June 24, 1996**

**Page 59**

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H354.)